



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/6/2022

October 3, 2022

Wendy J. Olson
101 S. Capitol Boulevard, Suite 1900
Boise, ID 83702
D. 208.387.4291
wendy.olson@stoel.com

BY ECF

The Honorable Victor Marrero
United States District Court, Southern District of New York
United States Courthouse, 500 Pearl Street
New York, New York 10007
Chambers NYSDMarrero@nysd.uscourts.gov

Re: *United States Securities and Exchange Commission v. David Lee Stone*, Case No. 1:22-cv-03553-VM (S.D.N.Y) Letter Motion to Seal

Dear Judge Marrero:

Pursuant to Rule II.H of the Court's Individual Practices, Standing Order 19-MC-583, and Section 6 of the Southern District of New York Electronic Case Filing Rules & Instructions, we write on behalf of relief defendant Brett Adams to seek leave to file under seal Exhibit A to Mr. Adams's recently filed letter to the Court (ECF No. 135). Should the Court grant this request, Mr. Adams submits that plaintiff Securities and Exchange Commission should be granted access to the sealed exhibit.

The exhibit, which was provided to the Court via email and will be filed on ECF under seal pending the Court's ruling on this Motion, is a copy of the Accounting with respect to Mr. Adam's assets, which was prepared pursuant to Court order. The Accounting contains sensitive personal financial information specific to Mr. Adams. Mr. Adams's privacy interest in this information is sufficient to overcome the presumption of public filing. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). Additionally, this information is not the type of information that, if sealed, will impact the judicial process or deprive the public of needed information. *See id.*

Accordingly, Mr. Adams respectfully requests the Court grant him leave to File Exhibit A under seal.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Wendy J. Olson'.

Wendy J. Olson
Per Ramfjord
Chris Rifer

cc: Counsel of Record

Request GRANTED. The request to file Exhibit A (Dkt. 138) under seal as set forth above is hereby GRANTED. The Clerk of Court is also directed to modify the viewing restrictions for counsel for the SEC, Nicholas P. Heinke, Christopher Martin, and Frank D. Goldman, to allow them access to Dkt. 138.

SO ORDERED.

10/6/2022

DATE

A handwritten signature in blue ink, appearing to read 'Victor Marrero'.

VICTOR MARRERO, U.S.D.J.